

Amendments to the Drawings:

The attached replacement drawing sheet makes changes to Fig. 2 and replaces the original sheet with Fig. 2.

Attachment: Replacement Sheet

REMARKS

By this Amendment, Applicants amend claims 1, 7, 8, 16, and 17 and add claims 18-20. Thus, claims 1-20 are pending in this application. Support for amended claims 1, 7, 16, and 17 may be found at least in paragraphs [0068]-[0094] and [0104]-[0115] and Figs. 1, 6, 7, and 9. Applicants respectfully request reconsideration and prompt allowance of the pending claims at least in light of the following remarks.

The Office Action objects to Fig. 2 based on MPEP §608.02(g). By this Amendment, Applicants amend Fig. 2 to include the legend "Prior Art." Accordingly, Applicants attach a Replacement Sheet including a replacement Fig. 2 reflecting the amendment. Applicants respectfully request withdrawal of the objection.

The Office Action objects to claims 1, 16, and 17 for an informality. Applicants respectfully traverse the objection.

The Office Action alleges that claims 1, 16, and 17 are unclear, because according to one portion of Applicants' specification, the communication portion 38 is part of the navigation device 15. However, the "communication portion," recited in original claims 1, 16, and 17 has a substantially broader scope than that alleged by the Office Action.

For instance, each "communication portion" of claims 1, 16, and 17 was intended to cover not only communication portion 38, which according to one exemplary embodiment, is part of the navigation device (see, e.g., paragraph [0047] and Fig. 2), but also or alternatively, for example, the wireless device 65, disclosed as a communication portion according to one exemplary embodiment (see, e.g., paragraphs [0026], [0028], [0061], and [0075]; original claim 12; and Fig. 3) and the removable wireless device 55, disclosed as a communication portion according to one exemplary embodiment (see, e.g., paragraphs [0101], [0102], [0106], [0108], [0110], [0112], and [0114]-[0116]; original claim 13; and Fig. 8). Both of, for example, the wireless device 65 and the removable wireless device 55 are disclosed as

connected to the navigation device 15, but are not part of the navigation device 15 (see paragraphs [0026] and [0101] and Figs 3 and 8).

In the interest of clarity, Applicants amend claims 1, 16, and 17 to recite that the communication portion is part of the navigation device. However, in order to maintain a claim scope equivalent to the scope of the original claims, Applicants add claims 18-20 reciting the "wireless communication device" or the "removable wireless communication device" attached to the communication portion.

In view of at least the forgoing, Applicants respectfully submit that claims 1, 16, and 17 are clear. Accordingly, Applicants respectfully request withdrawal of the objection.

The Office Action rejects claims 1-17 under 35 U.S.C. §102(e) over U.S. Patent 6,907,255 to Kawamoto. Applicants respectfully traverse the rejection.

Kawamoto fails to disclose that the portions of the navigation device that are not necessary for communication with the server are not started-up until after the data from the server has been received, as recited in claims 1, 7, 16, and 17.

The Office Action alleges that, according to Kawamoto, portions of the navigation device such as display section 95 and RAM 93 are not started-up until after a communication portion has started-up (Office Action p. 4). This is directly contrary to the disclosure of Kawamoto at col. 6, lines 25-40, which is relied on by the Office Action.

First, Kawamoto begins the disclosure of the operation of the portable terminal 81, as if the portable terminal 81 is already on and operating, i.e., "started-up." For example, the description of the method simply starts with a user operating the portable terminal to connect with a telephone system network (C6/L27-30 and Step S1 of Fig. 4). Thus, according to the disclosure of Kawamoto, the portable terminal 81 is started-up before the data from the server has been received. As a result, Kawamoto fails to disclose that the portions of the navigation

device that are not necessary for communication with the server are not started-up until after the data from the server has been received, as recited in claims 1, 7, 16, and 17.

However, even if Kawamoto could be interpreted as disclosing that portions of the portable terminal 81 are not started-up until used (which is not disclosed and which Applicants traverse), Kawamoto still discloses that prior to establishing communication with the portable telephone system network 82, a user must operate the input section 96 of the portable terminal 81 to establish the connection (C6/L27-30 and Step S1 of Fig. 4). Thus, before communication with the telephone system network 82, the input section 96 must be started-up. Furthermore, it is well known in the art that while inputting information into a portable telephone device with a display, such as portable terminal 81, the display (e.g., display section 95) is active in order that a user may view the information being input. Thus, the display is started-up before communication. Finally, Kawamoto discloses that during the communication the CPU 91 (based on programs stored in ROM 92) stores information in the RAM 93 (C6/L29-34 and C5/L58-60). Accordingly, the CPU 91, ROM 92, and RAM 93 are activated before or at the same time as communication with the telephone system network 82. Thus, according to the disclosure of Kawamoto, all portions of the portable terminal 81 are started-up before the data from the server has been received. As a result, Kawamoto fails to disclose that the portions of the navigation device that are not necessary for communication with the server are not started-up until after the data from the server has been received, as recited in claims 1, 7, 16, and 17.

Because Kawamoto fails to disclose that the portions of the navigation device that are not necessary for communication with the server are not started-up until after the data from the server has been received, claims 1, 7, 16, and 17 are patentable over Kawamoto. Further, Applicants respectfully submit that claims 2-6 and 8-15 are patentable for at least the reasons that claims 1 and 7 are patentable, as well as for the additional features that they recite.

In view of at least the foregoing, Applicants respectfully submit that this application is in condition for allowance. Applicants earnestly solicit favorable reconsideration and prompt allowance of claims 1-20.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, Applicants invite the Examiner to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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